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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/760,192	01/21/2004	Kia Silverbrook	RRA17US	2063
24011 7590 06/08/2007 SILVERBROOK RESEARCH PTY LTD 393 DARLING STREET BALMAIN, 2041 AUSTRALIA			EXAMINER GOLDBERG, BRIAN J .	
			ART UNIT 2861	PAPER NUMBER
			MAIL DATE 06/08/2007	DELIVERY MODE PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/760,192

Applicant(s)

SILVERBROOK, KIA

Examiner

Brian Goldberg

Art Unit

2861

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 29 March 2007.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-5 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-5 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 21 January 2004 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- ☒ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☐ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____
- ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- ☐ Notice of Informal Patent Application
- ☐ Other: _____

DETAILED ACTION

Drawings

1. The drawings are objected to under 37 CFR 1.83(a). The drawings must show every feature of the invention specified in the claims. Therefore, the drive means must be shown or the feature(s) canceled from the claim(s). No new matter should be entered.

Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as "amended." If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

Claim Rejections - 35 USC § 112

2. The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

3. Claims 1-5 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention. The drive means (comprised on said cradle) for driving said printhead maintenance means are not described in the specification or shown in the drawings. No support was found for this limitation in the lines cited by the applicant or the rest of the application.

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 1-3 and 5 are rejected under 35 U.S.C. 103(a) as being unpatentable over Silverbrook et al. (US 6439908) in view of Hirayama et al. (US 6742874).

6. Regarding claim 1, Silverbrook et al. disclose "a plurality of ink storage reservoirs (16 of Fig 2); an ink delivery member (32 of Fig 7) defining a plurality of ink delivery channels (80 of Fig 7); and a pagewidth printhead (18 of Fig 7) in fluid communication with the plurality of ink storage reservoirs (16 of Fig 7) by means of the one or more

printing fluid delivery channels (80 of Fig 7); power and data contacts (22, 54, 66 of Fig 4) for electrical connection with complementary power and data contacts on said cradle when said cartridge is received in said cradle (col 3 ln 57-63, col 4 ln 12-18)...said cradle comprising complementary power and data contacts (56 of Fig 3)." Thus Silverbrook et al. meet the claimed invention except "printhead maintenance means for maintaining proper printhead functioning; and said cradle comprising...drive means for driving said printhead maintenance means."

7. Hirayama et al. teach "printhead maintenance means (5015, 5021 of Fig 15) for maintaining proper printhead functioning; and said cradle comprising...drive means for driving said printhead maintenance means (col 10 ln 50-56)." It would have been obvious to one of ordinary skill in the art at the time of the applicant's invention to provide a maintenance means and maintenance driving means. One would have been motivated to so modify Silverbrook et al. for the benefit of performing regular maintenance on the printhead in order to prolong its usable life and the life of its parts and maintain the desired quality of printing.

8. Regarding claim 2, Silverbrook et al. disclose "an elongate body housing the plurality of ink storage reservoirs (casing 14 or casing of 32, see Fig 2 and 3)."

9. Regarding claim 3, Silverbrook et al. disclose "the pagewidth printhead (18 of Fig 2) is attached to the elongate body (14 of Fig 2)."

10. Regarding claim 5, Silverbrook et al. disclose "the pagewidth printhead (18 of Fig 5) is attached to the elongate body (14 of Fig 5) by means of the ink delivery member (32 of Fig 5)."

11. Claim 4 is rejected under 35 U.S.C. 103(a) as being unpatentable over Silverbrook et al. in view of Hirayama et al. and further in view of Silverbrook (US 6318849).

12. Regarding claim 4, Silverbrook et al. in view of Hirayama et al. disclose the claimed invention as set forth above regarding claim 3 and Silverbrook et al. also disclose the ink delivery member (32 of Fig 7) extends the length of the printhead, while also stating that molding 28 is formed of an injection molded plastic body which is the same as what is stated in the instant application. A liquid crystal polymer is a type of plastic as disclosed in the instant application in paragraph [0062], lines 1-3. It would therefore be obvious to use the same material for the ink delivery member 32.

13. Furthermore, Silverbrook teaches the ink delivery member (14 of Fig 1) is formed from injection molded plastic which is the same as what is stated in the instant application. A liquid crystal polymer is a type of plastic as disclosed in the instant application in paragraph [0062], lines 1-3. It would have been obvious to one of ordinary skill in the art at the time of the applicant's invention to have the ink delivery member be formed from liquid crystal polymer. One would have been motivated to so modify Silverbrook et al. in view of Hirayama et al. for the benefit of using a material that provides outstanding mechanical properties at high temperatures, excellent chemical resistance, inherent flame retardancy and good weatherability, while also having the ability to be melt processed on conventional equipment at fast speeds with excellent replication of mold details.

Response to Arguments

14. Applicant's arguments with respect to claims 1-5 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

15. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Brian Goldberg whose telephone number is 571-272-2728. The examiner can normally be reached on Monday through Friday, 9AM-5PM EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Matthew Luu can be reached on 571-272-7663. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Brian Goldberg *BG*
AU 2861
June 6, 2007


MATTHEW LUU
SUPERVISORY PATENT EXAMINER